

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HECTOR MARTINEZ DIAZ,

Petitioner

v.

COMMONWEALTH OF PENNSYLVANIA, et al.,

Respondents

CIVIL ACTION

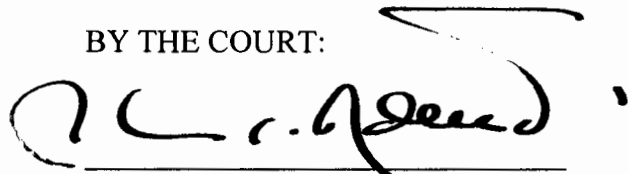
NO. 12-7082

ORDER

AND NOW, this ^{7th} 18 day of *November*, 2013, upon careful and independent consideration of the Petition for Writ of Habeas Corpus (Docket No. 1) filed December 19, 2012, the Commonwealth's Response to Writ of Habeas Corpus (Docket No. 8) filed March 13, 2013, and after review of the Report and Recommendation ("R&R") of United States Magistrate Judge Henry S. Perkin dated October 24, 2013, IT IS HEREBY ORDERED that:

1. the R&R is APPROVED and ADOPTED;
2. the Petition for Writ of Habeas Corpus is DENIED with prejudice and DISMISSED without an evidentiary hearing; and
3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:


EDUARDO C. ROBRENO, J.